

The Executive veto statement for veto of Resolution #122009-04;

I am vetoing this resolution because dissolving the Executive/Legislative team is premature. Tribal Council dissolved the Executive/Legislative team because the team was dormant for awhile which made the team seem unnecessary. However, in fact the team had been waiting for the Warner report and the counterproposal from the bondholders. As soon as these documents were available the team began meeting again. The team spent considerable time dissecting Oppenheimer's response to the counterproposal and uncovered serious concerns. The team worked together to completely redraft the response to the counterproposal and the team recommended drastic changes in both strategy and direction to Tribal Council. Tribal Council adopted a substantial portion of the Executive/Legislative team's suggestions. Additionally, most of the Executive/Legislative team is also on the negotiating team planning to travel to Boston. After that trip it might be helpful to get further Executive/Legislative team feedback. Based upon the aforementioned facts, I vetoed resolution 122009-04 because it is premature.

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 ODAWA CIRCLE
HARBOR SPRINGS, MI 49740

TRIBAL RESOLUTION # 122009-04

**Repeals Tribal Resolution # 092709-01; Establishment and Authority of the
“Legislative/Executive Team”**

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Tribe has retained *Oppenheimer & Co., Inc.* as financial advisor and *Fredericks Peebles & Morgan* as legal advisor to assist with providing direction to the Tribe with respect to its restructuring of its outstanding notes;

WHEREAS the Tribal Council is seeking a consensual restructuring of the notes with the note holders;

WHEREAS the Tribal Council recognizes the need to negotiate with the note holders;

THEREFORE, BE IT RESOLVED that the Tribal Council establishes and directs a “Legislative/Executive Team” to negotiate the restructuring of the notes with the bondholders, provided that any action concerning the bonds or restructuring of debt will be brought back to the Tribal Council by said team for approval prior to the action taken.

FURTHER BE IT RESOLVED that the Team shall consist of the Legislative Leader, Treasurer, and Secretary and Legislative Services Attorney, Tribal Chair, Tribal CFO, OCR Director of Finance, General Counsel, Tribal Citizen Fred Harrington and any other individuals designated by the Legislative/Executive Team and any other Tribal Council members that desire to participate.

FURTHER BE IT RESOLVED that the Team shall provide updates to the Tribal Council at each of its regularly scheduled meetings.

FURTHER BE IT RESOLVED that communication with representative of *Oppenheimer & Co., Inc.*, *Fredrick Peebles & Morgan*, Bond Lenders or the *Ad Hoc Committee of Lenders* will be made through the “Executive/Legislative Team” regarding

the bond unless authorized otherwise by Tribal Council. Communications from the
aforementioned shall be sent to both the General Counsel and the Legislative Services
Attorney to be forwarded to the Team.

FINALLY BE IT RESOLVED that any and all authority or actions provided by Tribal
Resolution 092709-01 is hereby repealed.

CERTIFICATION

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this
Tribal Resolution was duly adopted by the Tribal Council of the Little Traverse Bay
Bands of Odawa Indians at a regular meeting of the Tribal Council held January 10, 2010
at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions,
1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Belinda Bardwell	X			
Gerald V. Chingwa	X			
Melvin L. Kiogima	X			
Marvin Mulholland	X			
Rita Shananaquet	X			
Aaron Otto	X			
John Bott	X			
Regina Gasco Bentley				X
Julie Shananaquet	X			

Date:

12/20/09

Julie A. Shananaquet, Legislative Leader

Date:

12-21-09

Regina Gasco Bentley, Secretary

Received by the Executive Office on 12-21-09 by

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of
Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this
action of the Tribal Council.

Date:

1-18-10

Ken Harrington, Tribal Chairperson